

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6846

IN THE MATTER OF:

Served October 9, 2002

BARON TRANSPORTATION, INC.,)	Case No. MP-2002-42
Suspension and Investigation of)	
Revocation of Certificate No. 33)	

By Order No. 6763, served August 7, 2002, the Commission revoked Certificate of Authority No. 33 pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with: (1) Article XI, Section 7(g), of the Compact and Commission Regulation No. 58, governing insurance; and (2) Article IV, Section 4(a), of the Compact, Regulation No. 67 and Order No. 3601, governing annual fees. On September 5, 2002, respondent filed an effective certificate of insurance, paid the annual fee for 2002 and filed an application for reconsideration of Order No. 6763.

Under Title II of the Compact, Article XIII, Section 4(a), an application for reconsideration of a Commission order must be filed within thirty days of its publication and state specifically the errors claimed as grounds for reconsideration. The application is timely but does not allege any error on the part of the Commission. The application therefore is denied.¹

However, because respondent has timely paid the annual fee and filed a new certificate of insurance showing reinstatement of full coverage, we may consider reopening this proceeding on our own initiative and reinstating Certificate of Authority No. 382.²

At this time we are unable to say reinstating Certificate No. 33 would be consistent with the public interest. While this proceeding was pending, the Commission began a separate investigation into whether respondent continued operating while suspended and revoked. Our decision whether to reinstate must await the outcome of that proceeding.

In the meantime, respondent shall immediately surrender Certificate No. 33 and file a notarized affidavit verifying that respondent has removed from its vehicles the identification placed

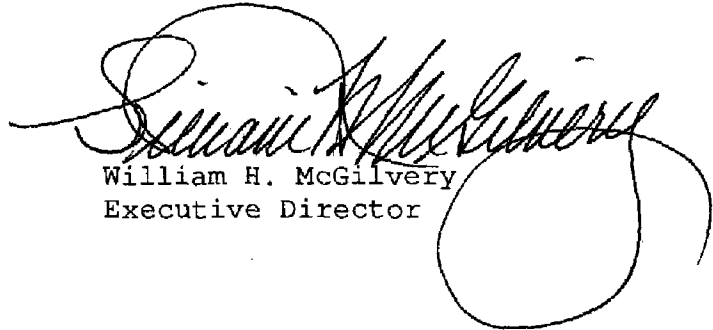
¹ The application is deemed denied pursuant to Article XIII, Section 4(c), of the Compact, in any event, inasmuch as this order was not issued within thirty days of the application filing date.

² In re Safe Haven, Inc., No. MP-02-14, Order No. 6682 (June 4, 2002).

thereon pursuant to Commission Regulation No. 61 as directed by Order No. 6763.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND MILLER:



William H. McGilver
Executive Director